

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSE RUBALCAVA,)	4:04CV3289
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
CITY OF LINCOLN, LINCOLN)	
POLICE DEPARTMENT, UNKNOWN)	
CHAMPOUX, and DOES 1-5,)	
)	
Defendants.)	

This matter is before the court on its own motion. On July 11, 2005, the court entered an order (filing 15) requiring that Plaintiff, within 10 days, file either a statement showing that he has hired an attorney or a motion for appointment of counsel. As of the date of this order, Plaintiff has failed to comply with the court's order. Accordingly, pursuant to the terms of the court's prior order (filing 15), Fed. R. Civ. P. 41, and NECivR 41.1, the court finds that Plaintiff's claims against Defendants should be dismissed without prejudice.

IT IS ORDERED:

1. This case is dismissed without prejudice; and
2. Judgment shall be entered by separate document.

August 26, 2005.

BY THE COURT:

s/Richard G. Kopf
United States District Judge